SEVERALL

LAVVS AND ORDE

Made at Severall

GENERAL COURTS

In the Years 1661. 1662. 1663.

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By EDWARD RAWSON Secr.

MAY the 22. 1661.

THis Court, *being desirous to try all means, with as much lenity as may consist with our Safety, to prevent the Intrusions of the* Quakers, *who besides their absurd and Blasphemous Doctrines, do like Rogues and Vagabonds come in upon us, and have not been Restrained by the Laws already provided;* Have Ordered, That every such Vagabond Quaker, found within any part of this Jurisdiction, shall be Apprehended by any person or persons, or by the Constable of the Town wherein he or she is taken; and by the Constable, or in his absence by any other person or persons, conveyed before the next Magistrate of that Shire wherein they are taken, or Commissioner invested with Magistratical Power: And being by the said Magistrate or Magistrates, Commissioner or Commissioners, adjudged to be a *Wandring Quaker*, viz. One that hath not any Dwelling, or orderly allowance as an Inhabitant of this Jurisdiction; and not giving civil Respect, by the usuall Gestures thereof, or by any other way or means manifesting himself to be a Quaker, shall by Warrant under the Hand of the said Magistrate or Magistrates, Commissioner or Commissioners, directed to the Constable of the Town wherein he or she is taken, or in absence of the Constable, to any other meet person, Be stripped naked from the Middle upwards, and tyed to a Carts tayle, and Whipped through the Town, and from thence immediately conveyed to the Constable of the next Town towards the Borders of our

Order against Quakers and Vagabond Rogues.

Jurisdiction, as their Warrant shall direct; and so from Constable to Constable, till they be conveyed through any the outwardmost Towns of our Jurisdiction.

And if such Vagabond Quaker shall return again, then to be in like manner Apprehended and conveyed as often as they shall be found within the Limits of our Jurisdiction. Provided, every such Wandring Quaker, having been thrice Convicted and sent away as aboveſaid, and returning again into this Jurisdiction shall be Apprehended, and Committed by any Magistrate or Constable as aboveſaid, unto the House of Correction within that County where he or she is found, untill the next Court of that County; where if the Court judge not meet to Release them, they shall be Branded with the Letter R on their left Shoulder, and be severely Whipt, and sent away in manner before: And if after this, he or she shall return again; then to be proceeded against as Incorrigible Rogues, and Enemies to the Common Peace, and shall immediately be Apprehended, and Committed to the Common Goal of the Country, and at the next Court of Assistants shall be brought to their Tryal, and Proceeded against according to the Law made *Anno* 1658. *pag.* 36. for their Punishment on Pain of Death. And for such Quakers as shall arise from amongst our selves, they shall be Proceeded against as the former Law of *Anno* 1658. *pag.* 36. doth provide, until they have been Convicted by a Court of Assistants; and being so Convicted, he or she shall then be Banished this Jurisdiction; and if after that, they shall be found in any part of this Jurisdiction, then he or she so Sentenced to Banishment, shall be Proceeded against as those that are strangers and Vagabond Quakers, in manner as is above expressed.

And it is further Ordered, That whatsoever Charge shall arise about Apprehending, Whipping, Conveying, or otherwise about the Quakers, to be laid out by the Constables of such Towns where it is expended, and to be repaid by the Treasurer out of the next Country Levy. And further, That the Constables of the several Towns are hereby Impowered from time to time, as necessity shall require, to Impress Cart, Oxen, and other Assistance for the execution of this Order.

AUGUST the 7th. 1661.

Lawes about Shipping & Fishing Repealed.

THe Court judgeth it meet to Declare, That the Law *tit. Ships, second Section, That all Ships which comes for Trading only from other parts, shall have free access into our Harbours, &c.* shall and is hereby Repealed.

And also that the first Section of the Law *tit. Fish, Fishermen, pag.* 32. shall and is hereby Repealed.

MAY the 7th. 1662.

As an Addition to the Laws about Apparel.

Addition to the Law for Apparel

WHereas excesse in *Apparel, amongst us, unbecoming a Wilderness-condition, and the Profession of the Gospel, whereby the Rising Generation are in danger to be Corrupted and Effeminated; which Practises are witnessed against by the Lawes of God, and sundry Civil and Christian Nations;* It is therefore Ordered and Enacted by this Court, and the Authority thereof, That all persons within this Jurisdiction, whether the Children, or Servants that are under governments in Families

milies, that ſhall wear any Apparel exceeding the quality and condition of their Perſons or Eſtate, or that is apparently contrary to the ends of Apparel; and either of theſe to be ſo judged by the Grand-Jury and County Court of that Shire where ſuch Complaint or Preſentment is made: All ſuch perſons being Convicted, ſhall for the firſt Offence be Admoniſhed; for the ſecond Offence pay a Fine of Twenty ſhillings; for the third Offence, Forty ſhillings; and ſo following, as the Offences are multiplied, to pay Forty ſhillings a time to the Treaſury of that County. Alſo if any Taylor ſhall make or faſhion any Garment for ſuch Children or Servants under government as aforeſaid, contrary to the minde and order of their Parents, or Governours, Every ſuch Taylor ſhall for the firſt Offence be Admoniſhed; and for the ſecond Offence forfeit double the Value of ſuch Apparel or Garment as he ſhall faſhion or make, contrary to the minde and order of their Parents or Governours: Half to the Owner, and half to the Country. And all Grand-jury men are hereby Enjoyned to Preſent all thoſe whom they do judge breakers of this Order.

How to Rate Sheep.

WHereas in the Law tit. Publick Charges, pag. 14. *Sheep are to be aſſeſſed at Twenty five ſhillings a head; and that they are now fallen to about a fourth part of the Price they then were ordinarily ſold for, whereby many are diſcouraged for keeping ſuch uſeful Creatures:* It is therefore Ordered by this Court, and the Authority thereof, That henceforth the Rate for Sheep ſhall be at ten ſhillings a Head; Any thing in the ſaid recited Law to the contrary notwithſtanding.

The Keepers diſcharge of Priſoners in Caſe.

IT is Ordered, That when any perſons are Committed to Priſon in any Civil Action, the Keepers of the Priſon ſhall not ſtand charged with their Supply of Victuals, or other Neceſſaries. And in caſe the Priſoner hath no Eſtate, and will be depoſed before any Magiſtrate, that he is not worth Five pounds, the Plaintiff ſhall provide for his Relief, or otherwiſe the Keeper ſhall not ſtand charged with him: and all ſuch Charges the Plaintiff ſhall have power to levy with the Execution, before the party be delivered from Priſon.

Order about Vagabond and Wandring perſons.

THis Court being ſenſible of the encreaſe of Prophaneneſs and Irreligiouſneſs, by reaſon of the Vagrant and Vagabond life of ſundry perſons, as well Inhabitants as Forreigners, that wander from their Families, Relations and Dwelling places, from Town to Towne, thereby drawing away Children, Servants, and other perſons, both younger and elder, from their lawful Callings and Imployments, and hardning the hearts of one another againſt all Subjection to the Rules of Gods Holy Word, and the Eſtabliſhed Laws of this Colony: All which to prevent, This Court doth hereby Order and Enact, That all ſuch perſons, where ever they may be found in any place of this Juriſdiction, be Apprehended by the Conſtable of the ſaid place, with or without further Warrant, and brought before the next Magiſtrate; who if upon Examination ſhall finde them to be ſuch as do not give a good and ſatisfactory account of ſuch their Wandring up and down, they ſhall proceed with and againſt them as Rogues and Vagabonds, and cauſe them to be Corporally puniſhed, and ſent from Conſtable to Conſtable, until they come to the place of their abode: Or in caſe they will not confeſs where their abode is within this Colony, nor yet voluntarily depart out of the ſame; then to be ſent to the Houſe of Correction, there to remain until the next Court of that County.

OCTOBER the 8th. 1662.

Keepers of Priſoners danger.

COmplaint being made to this Court, of abuſe offered to Juſtice, through liberty granted, by the Keepers of the Priſon, to ſuch perſons as ſtand Committed for Payment of Fines, and on Executi n granted in Civil Caſes: This Court do Order, That no perſon or perſons Committed as aboveſaid, ſhall be permitted by the Keeper of the Priſon to go at liberty without the Precincts of the Priſon, but by the Licenſe of the Court that Committed him, or of the Creditor for whom Execution is granted; On Penalty of Paying the Fine impoſed, and ſatisfaction of the Execution in any Civil caſe.

Marſhals may ſerve Attachments.

WHereas it hath been commonly practiſed, that Attachments have been directed to the Marſhall to be ſerved in any Town under the Juriſdiction of that Court whereof the Marſhall is Officer, notwithſtanding the Law doth Order, That all Attachments ſhall be directed to the Conſtable in ſuch Towns where no Marſhall dwells: It is hereby Ordered and Declared, That the ſaid Cuſtome ſhall be accounted Legal, and ſhall not abate the Proceeding to Tryal of any Cauſe. Provided no more Coſts be charged on the Defendant, then by Law are due to Conſtables for ſerving Attachments.

Order againſt Vagabond Quakers *May* 1661. in force.

THis Court heretofore, for ſome Reaſons inducing, did judge meet to ſuſpend the execution of the Laws againſt Quakers, *as ſuch, ſo farre as they reſpect Corporal Puniſhment or Death, during the Courts pleaſure. Now foraſmuch as new Complaints are made to this Court of ſuch perſons abounding, eſpecially in the Eaſtern parts, endeavouring to draw away others to that wicked Opinion:* It is therefore Ordered, That the laſt Law *tit. Vagabond Quakers*, May 1661. be henceforth in force in all reſpects. Provided that their Whipping be but through three Towns: And the Magiſtrate or Commiſſioners ſigning ſuch Warrant, ſhall appoint both the Towns, and Number of Stripes in each Town to be given.

Penalty for Galloping in *Boſton* ſtreets.

WHereas it appears, that notwithſtanding ſuch wholeſome Orders as have been hitherunto by the Select men *of* Boſton, *provided for the Reſtraint of all perſons from violent Riding in the ſtreets of the ſaid Town: Yet nevertheleſs, many take the liberty and boldneſs to Gallop frequently therein, to the great endangering the Bodies and Limbs of many perſons, eſpecially Children, who are ordinarily abroad in the ſtreets, and not of age or diſcretion ſuddenly to eſcape ſuch danger.* This Court having ſeriouſly conſidered the Premiſes, being careful to prevent a Practice that is like to be of ſuch dangerous conſequence, Do Order, That no perſon whatſoever ſhall after the Publication hereof, Gallop any Horſe within any the ſtreets of the ſaid Town, upon Penalty of forfeiting Three ſhillings and four pence for every ſuch Offence, upon conviction before any one Magiſtrate or Commiſſioner of *Boſton*, to be paid to the Treaſurer of the County of *Suffolk*; unleſs it appear on extreme neceſſity.

OCTOBER the 20th, 1663.

FOr the better Regulating of Elections upon the Day of Election, and avoiding the inconveniences which may attend the ſame: It is Ordered by this Court, That henceforth the General Court, both Magiſtrates and Deputies, ſhall meet together in the Court Chamber at ſeven of the clock that morning, and become a Court,

Court, and begin and conſider of ſuch things as are neceſſary in reference to the Work of the Day.

2. That for time to come all Votes of the Freemen in each Town within this Juriſdiction, be ſent in Proxies ſealed up as the Law requireth: And that none be admitted to give Votes perſonally at the Day of Election, except the Members of the General Court. Order for Regulation of Elections.

3. That the Conſtable of each Town ſhall ſome convenient time before the Day of Election, give due notice to all the Freemen of that town, to meet together to give their Votes for Elections: And that none ſhall be admitted to give their Votes for any other, unleſs the perſon Voting be alſo preſent, or ſend his Vote ſealed up in a Note directed to the Deputy or Townſmen, met together for that Work.

4. That the Conſtable ſhall cauſe a Liſt of the Number of Names of ſuch as give their Votes, fairly Written, and Sealed with the Votes.

5. That no perſon be made Free upon the Day of Election. And a Copy hereof to be Publiſhed immediately after the breaking up of this Court.

THis Court having peruſed and conſidered the Letter received from His Majeſties moſt Honourable Privy Council, dated the 24th of June *laſt, relating to an Act of Parliament, Entituled,* An Act for the Encouraging and Increaſing of Shipping and Navigation. *As an Addition and Explanation of former Orders made by this Court concerning theſe Affairs*; It is hereby Ordered and Enacted, That the ſeveral Officers hereafter mentioned, are hereby Deputed and Authorized to ſee that the ſaid Act be performed, ſo farre as it concerns the Government of this Plantation, both in Seizing Ships or Veſſels inhibited by the ſaid Act to trade here; taking Bonds of all Ships and Veſſels that Lades in our Ports any Commodities expreſſed in the ſaid Act, of the Growth, Product or Manufactory of the Engliſh Plantations, who ſhall not produce Certificate that they have given Bond already, as the ſaid Act requireth. And in caſe of Neglects or Contempt, to Seize ſuch Veſſels or Ships that Lades the aforeſaid Goods without giving Bond, or ſhewing Certificates: And to keep accounts of all ſuch Ships and Veſſels, with the Names of the Maſters, that Lades here as aforeſaid, and Return an Account twice every year, with Copies of the ſaid Bonds and Certificates, unto the Governour for the time being, by him to be tranſmitted to *London*, directed to the Chief Officer there. Officers authorized about Shipping.

The Officers appointed, are as followeth: Their Names.

For the Ports of *Boſton* and *Charles-Town*, Mr. *Edward Rawſon*.
For *Salem*, *Marble-head*, and *Gloceſter*, Mr. *Hilliard Veren*.
For the River of *Piſcataq̃*, and *Iſle of Shoals*, and Ports adjacent, Captain *Brian Pendleton*.

The Fees they are Authorized to take of every Shipmaſter, are And Fees.

For taking Bond, and tranſcribing the Copy, Five ſhillings.
For Receiving and Entring a Certificate, Two ſhillings ſix pence.
For giving Certificate, and Recording it, Two ſhillings ſix pence.
Their part of Seizures, as the ſaid Act directeth.

And that all imployed in this truſt, do from time to time make Return of all Bonds and Certificates by them paſſed, to Mr. *Rawſon*, who by the Governours Advice ſhall make Return thereof for *England*, as the Act of Parliament requireth. And that Mr. *Rawſon* do from time to time preſent the Council of Order requiring Bond of Shipmaſters, &c.

this Common-weal, or in default thereof the Court of Aſſiſtants, with true Accounts of all Bonds and Certificates, and Copies of all Letters that he ſhall ſend for *England*, in any wiſe referring to this matter.

Moreover it is Ordered, That the Secretary take ſpecial care forthwith to ſend by the firſt opportunity, Four Copies of the Councils, and one of the Copies of the Act of Parliament relating thereunto, to the Four General Governments of *New-England*, viz. *Plimouth*, *Conecticot*, *New-Haven*, and *Rood-Iſland*.

Common Attorney no Deputy.

IT is Ordered by this Court, and the Authority thereof, That no perſon who is an uſual and Common Attorney in any Inferiour Court, ſhall be admitted to ſit as a Deputy in this Court.

Perſons exempt from Voting in Elections.

WHereas it is found by experience, that there are many who are Inhabitants of this Juriſdiction, who are Enemies to all Government, Civil and Eccleſiaſtica', who will not yield obedience to Authority, but make it much of their Religion to be in oppoſition thereto; and refuſe to bear Arms under others, who notwithſtanding combine together in ſome Towns, and make Parties ſuitable to their Deſigns, in Election of ſuch perſons according to their Ends: It is therefore Ordered by this Court, and the Authority thereof, That all perſons, Quakers or others, which refuſe to attend upon the Publick Worſhip of God here Eſtabliſhed; that all ſuch perſons, whether Freemen or others, acting as aforeſaid, ſhall and hereby are made Uncapable of Voting in all Civil Aſſemblies, during their obſtinate perſiſting in ſuch wicked wayes and courſes, and untill Certificate be given of their Reformation.

And it is further Ordered, That all thoſe Fines and Mulcts of any ſuch Delinquents as aforeſaid, which are not gathered nor paid to the ſeveral Treaſurers of the Countries, as alſo what Fines ſhall be laid on them for the future, ſhall be delivered by the Order of the County-Treaſurers reſpectively, to the Select men of the ſeveral Towns whereunto they belong, to be by them improved for the Poor of the Town.

Officers Commiſſions.

FOr a more full and clear underſtanding of the intent of this Court in reference to Commiſſions granted to Military Officers: It is Ordered and hereby Declared, That all Commiſſions of Inferiour Officers be and do ſtand good and in force, notwithſtanding the Death or Removal of their Superiour Officers.

It is alſo further Ordered, That all trained Souldiers, whether Horſe or Foot, ſhall repair to their ſeveral Quarters, and lodge their Arms immediately after their diſmiſſion upon Training dayes: And whoſoever ſhall either ſingly or in companies remain in Arms, and vainly ſpend their time and Powder by inordinate ſhooting in the day or night after their Releaſe; ſuch Souldiers upon conviction ſhall be puniſhed by their Superiour Officers Order, upon the next Training-day, at the Head of the Company, by ſharp Admonition, or otherwiſe with any uſual Military Puniſhment, at the diſcretion of the chief Officer: Provided the Magiſtrate have not taken notice of the matter before.

Diſorder in Souldiers to be puniſhed by the Officers.

It is alſo further Ordered, That all Souldiers, whether Horſe or Foot, who ſhall diſobey the lawful Commands of their Superiour Officers upon any Training-day, either in time of Exerciſe in the Body, or otherwiſe Refuſing to perform any Service which their Officers in their diſcretion ſhall judge expedient, in order to the furtherance and promoting Military Work; ſuch refractory Souldiers ſhall be puniſhed either by Admonition, or otherwiſe, at the Head

of

of the Company, with any uſual Military Puniſhments, at the diſcretion of the Chief Officers.

Troopers allowance of 5 s *per Annum*, repealed

It is alſo further Ordered, and be it hereby Enacted, That the Law limitting Troop, not to exceed Seventy perſons in a Troop, as alſo for Allowance of Five ſhillings *per Annum*, is hereby Repealed, in reference to any that ſhall be Liſted after the Publication of this Order. And that henceforth none ſhall be admitted to be a Liſted Trooper, but ſuch whom themſelves or Parents under whoſe government they are, do pay in a ſingle Country Rate for One hundred pounds Eſtate, and in other reſpects qualified as the Law provides: And the ſame certified under the Hand of the Conſtable of the Town where they live.

Penalty for drinking Healths &c. in Ships or Veſſels.

BE it alſo Enacted by the Authority of this Court, That no Maſters of Ships or Seamen, having their Veſſels Riding within any of our Harbours in this Juriſdiction, ſhall preſume to Drink Healths, or ſuffer any Healths to be drunk within their Veſſels by day or night; or to ſhoot off any Gun after the day-light is paſt. or on the Sabbath-day, on Penalty for every Health twenty ſhillings, and for every Gun ſo ſhot, twenty ſhillings. And the Captain of the Caſtle is hereby Enjoyned to give notice of this Order to all Ships that paſs by the Caſtle.

F I N I S.